

1 IRENE K. YESOWITCH State Bar #111575  
2 CHIP COX State Bar #159681  
3 LONG & LEVIT LLP  
4 465 California Street, Suite 500  
5 San Francisco, CA 94104  
6 TEL: (415) 397-2222 FAX: (415) 397-6392  
7 [ivesowitch@longlevit.com](mailto:ivesowitch@longlevit.com)  
8 [ChipC@longlevit.com](mailto:ChipC@longlevit.com)

9 Attorneys for Defendant  
10 MARKEL AMERICAN INSURANCE COMPANY

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA

13 LENSRAFTERS, INC.; and EYEXAM OF  
14 CALIFORNIA, INC.,

15 Plaintiffs,

16 vs.

17 LIBERTY MUTUAL FIRE INSURANCE  
18 COMPANY; EXECUTIVE RISK  
19 SPECIALTY INSURANCE COMPANY;  
20 UNITED STATES FIRE INSURANCE  
21 COMPANY; MARKEL AMERICAN  
22 INSURANCE COMPANY; and  
23 WESTCHESTER FIRE INSURANCE  
24 COMPANY,

25 Defendants.

CASE No. CV-07-2853 SBA

**STIPULATION AND ORDER**

26 AND RELATED CROSS ACTIONS

27 WHEREAS, on July 31, 2008, Defendant and Counter-Claimant United States Fire  
28 Insurance Company ("U.S. Fire") filed an Answer and Counterclaim responding to the  
Counterclaim of Defendant and Counter-Claimant Markel American Insurance Company  
("Markel");

WHEREAS, Markel's response to U.S. Fire's Counterclaim was due on August 20, 2008  
and extended to September 19, 2008 by stipulation between the parties and ordered by this  
Court; and

1 WHEREAS Markel has requested and U.S. Fire has agreed to another extension of time  
2 for Markel to respond to the Counterclaim;

3 THEREFORE, Markel and U.S. Fire stipulate and request that this Court order that the  
4 time for Markel to respond to U.S. Fire's Counterclaim is extended to October 17, 2008.

5  
6 Dated: September 17, 2008

LONG & LEVIT LLP

7  
8 By /s/  
9 IRENE K. YESOWITCH  
10 Attorneys for Defendant,  
11 MARKEL AMERICAN  
INSURANCE COMPANY

12 Dated: September 17, 2008

SQUIRE, SANDERS & DEMPSEY L.L.P.

13  
14 By /s/  
15 ANDREW L. CHANG  
16 Attorneys for Defendant and Counter-  
Claimant UNITED STATES FIRE  
INSURANCE COMPANY

17 IT IS SO ORDERED

18  
19 DATED: \_9/23/08

20   
21 HON. SAUNDRA BROWN ARMSTRONG  
United States District Court Judge

22 DOCS\S6560-015\554225.V1  
23  
24  
25  
26  
27  
28